

10/500036

DTOS PCT/PTO 23 JUN 2004

Customer No. 22,852

Attorney Docket No.: 08257.0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Roberto AVALLONE et al.

Application No.: **Not Yet Assigned**

Filed: **June 23, 2004**

National Stage of International Application No.
PCT/EP01/15330 under 35 U.S.C. 371, for
OPTICAL TRANSMISSION SYSTEM WITH
RAMAN AMPLIFIERS COMPRISING A
SUPERVISORY SYSTEM

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) Group Art Unit: **Not Yet Assigned**

)
) Examiner: **Not Yet Assigned**
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MAIL STOP PCT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. With exception of the U.S. patents and publication, copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were

considered by making an appropriate notation on this form. This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO-1449 and are in a non-English language:

1. European Patent Publication No. EP 0 504 777 B1 - The relevance of this document is discussed at page 1 of the specification of the present application and in the English-language claims at columns 11-13 of the document.
2. German Patent Publication No. DE 100 10 237 A1 - In lieu of a statement of relevance or the translation of this document, enclosed is an English-language international search report from the European Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing this document and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2004

By:


Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/sci

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Atty. Docket No.	08257.0005	Application No.	Not Yet Assigned
Applicants	Roberto AVALLONE et al.		
Filing Date	June 23, 2004	Group:	Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue/Pub. Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,625,481	04/29/97	TAMURA et al.			
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EP 1 122 898 A1	08/08/01	EUROPE			
EP 0 751 635 A2	01/02/97	EUROPE			
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EP 0 504 777 B1	09/23/92	EUROPE			CLAIMS ONLY
DE 100 10 237 A1	09/13/01	GERMANY			NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AGRAWAL, G. P., "Nonlinear Fiber Optics", Academic Press, Second Edition, The Institute of Optics University of Rochester, Rochester, New York, pp. 317-319, (1995).
MAEDA, H. et al., "Remote Supervisory System of FSA-WDM System", NTT Review, Vol. 12, No. 4, pp. 25-31, (July 2000).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce